

**OPINION
51-24**

January 17, 1951 (OPINION)

COUNTIES

RE: Auctions

Your request for an interpretation of sections 11-2702 and 11-2703 N.D.R.C. 1943 has been received.

It is clearly the intention of the Legislature, from section 11-2701, that any property of the county of a greater value than \$100 can be sold only at public auction. Of course, it might be that the property for sale is of such nature that no one would want it. In such case, no bids would be received, and the property could not be sold at auction. In such case the county would have to keep the property, or sell it at private sale if a purchaser could be found. Circumstances would seem to approve such a sale. If, however, the property is such that bidders may vie for it, then it should be offered for sale. If such be the case and for some reason no bids were received, we would be of the opinion that another call for bids to made. If then no bids are received, such circumstances would seem to warrant private sale for a fair price.

ELMO T. CHRISTIANSON

Attorney General